

**MINUTES  
REGULAR MEETING  
COOK CITY COUNCIL  
JANUARY 26, 2012 – CITY HALL – 6 PM**

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**PRESENT:** Mayor Harold Johnston, Councilors Jody Bixby, Kim Brunner, Karen Hollanitsch and Elizabeth Storm

**ABSENT:** None

**OTHERS PRESENT:** Administrator-Clerk/Treasurer Theresa Martinson, Deputy-Clerk/Treasurer Cindy Palm, Cook News Herald, and The Timberjay

Mayor Harold Johnston called the meeting to order at 6:00 PM.

**PUBLIC FORUM:**

Legal newspaper bids were accepted from the Cook News Herald and the Timberjay. Both papers were notified to print a legal notice in the standard legal format of their respective newspapers. The invoice from Cook News Herald was noted as the lesser amount. Their bid amounts were display ad rate at \$2.50/column inch and legal rate at \$1.25/column inch. The Timberjay bid amount was \$2.85/column inch for display ad rate and \$2.35/column inch for legal ad rate.

Motion by Storm, second by Brunner to accept the low bid from the Cook News Herald at \$2.50 per column inch-display ad rate and \$1.25 per column inch-legal rate and appoint the Cook News Herald as the City of Cook's legal newspaper for 2012. **MOTION CARRIED**

**CONSENT AGENDA:**

- A. Approval/correction of Regular Council Minutes of December 22, 2011
- B. Approval/correction of the Special Council Minutes of December 22, 2011-Truth In Taxation Hearing
- C. Approval/correction of the Special Council Minutes of December 22, 2011-2012 Budget/Levy
- D. Bill Presentation          Paid since last presentation          \$ 83,201.80  
                                         Presented for payment                          \$ 23,524.86
- E. Reporting of the December 2011 Liquor Store Sales  

	<u>MTD</u>	<u>YTD</u>
2011	\$103,381.56	\$1,429,894.97
2010	\$ <u>97,643.56</u>	\$ <u>1,393,982.54</u>
	\$ 5,738.00	\$ 35,912.43
- F. Airport Operator's Report
- G. Ambulance Service Report
- H. Maintenance Department Report
- I. 2012 Appointments
- J. 2012 Journal of City Council, Commission and Committee Meeting Dates
- K. Administrator Attendance at MCFOA Conference
- L. HUD letter dated 12-13-2011

Motion by Storm, second by Hollanitsch to approve the consent agenda. **MOTION CARRIED**

## **COMMISSION AND STAFF REPORTS:**

### **Library**

The Personnel Committee recommends hiring Steven Harsin as the new Librarian upon final background and reference completion.

Motion by Storm, second by Brunner to approve hiring of Steven Harsin as the new Librarian upon final background and reference completion. **MOTION CARRIED**

### **Liquor Store**

Manager Deb Lindgren has requested council approval to replace two point-of-sale computer stations and the interior flooring at the liquor store utilizing reserved funds. The liquor store is down to one functioning work station which is also having issues and the last replacement was in 2007. The liquor store flooring is also being replaced as the original tiles installed in the early 1990's have worn out and are cracking.

Motion by Hollanitsch, second by Brunner to approve replacing two point-of-sale computer stations and replacement of the interior liquor store flooring by utilizing reserved funds. **MOTION CARRIED**

### **Maintenance**

The Personnel Committee recommends hiring Donald Flack as the Maintenance Technician/Public Works Assistant. All required background and reference checks have been completed with the position starting February 7, 2012.

Motion by Storm, second by Hollanitsch to approve the hiring of Donald Flack as the new Maintenance Technician/Public Works Assistant.

Voting Aye: Mayor Johnston, Councilors Bixby, Hollanitsch and Storm

Voting Nay: None

Abstain: Councilor Brunner

**MOTION CARRIED**

## **OLD BUSINESS:**

The City of Cook has received IRRRB funding for \$65,000 and St Louis County CDBG funding for \$60,523 for the 3<sup>rd</sup> Ave-3<sup>rd</sup> St. / 1<sup>st</sup> St. SW / 4<sup>th</sup> Ave Culvert, Drainage and Paving project for 2012. Administrator – Clerk/Treasurer Martinson is requesting council approval to accept and sign for grant approval.

Motion by Brunner, second by Bixby to accept and sign for grant approval for \$65,000 IRRRB funding and \$60,523 St Louis County CDBG funding for the 3<sup>rd</sup> Ave-3<sup>rd</sup> St. / 1<sup>st</sup> St. SW / 4<sup>th</sup> Ave Culvert, Drainage and Paving project for 2012. **MOTION CARRIED**

The Water Tower Lease Agreement approval for Heartland Broadcasting Inc. will again be tabled until frequency issues have been resolved. Councilors Storm and Brunner have been appointed to communicate with Heartland Broadcasting Inc. in regards to frequency issues they are experiencing.

## **NEW BUSINESS:**

City Attorney, Mark Weir has requested the city pay a monthly retainer to Vermilion Law Ltd of \$300 per month as they have with a previous city attorney in 2005. Prosecution matters are handled with a different law firm.

Motion by Hollanitsch, second by Storm to pay a monthly retainer of \$300 to Vermilion Law Ltd as the official city attorney. **MOTION CARRIED**

Friends of the Park, Inc. have requested approval for a Gambling Permit for the Wings and Things event to be held at VFW Post 1757 on April 21, 2012.

Motion by Hollanitsch, second by Bixby to approve a Gambling Permit for Wings and Things to be held at VFW Post 1757 on April 21, 2012. **MOTION CARRIED**

The MN DNR provided information on a Community Tree Survey and grant sources available and this information will be forwarded to the Parks and Beautification Committee for review.

Great River Energy has requested an easement from the City of Cook along Highway 115 for \$5,160. The easement is located on the property purchased from Thomas and LeeAnn Erhbright Trust in Cook, MN. Purpose of easement is to construct, reconstruct, relocate, operate, repair and maintain on the easement area, and in or upon all streets, roads or highways abutting said lands, an electric transmission line or system, consisting of single pole structures and appurtenances, and telecommunications facilities, including fiber optic cable. Attorney Mark Weir has reviewed the easement and recommends the City of Cook enter an agreement with Great River Energy.

Motion by Brunner, second by Storm to approve an easement to Great River Energy from the City of Cook along Highway 115 for \$5160. Easement No#: LC-TC-133A more particularly described as Exhibits A, A2 & B. **MOTION CARRIED**

## **COUNCIL FORUM:**

None

## **CLOSED MEETING:**

Closed for attorney-client privilege pending litigation.

Re-open regular council meeting at 6:45 p.m.

Motion by Storm, second by Brunner to approve a Settlement Agreement and Release by, between and among the City of Cook ("Cook"), Labco, Inc. and its surety, Granite Re, Inc. **MOTION CARRIED**

## **ADJOURNMENT:**

Motion by Hollanitsch, second by Storm to adjourn the regular council meeting at 7:57 p.m.  
**MOTION CARRIED**

Respectfully Submitted,

Cindy Palm  
Deputy-Clerk/Treasurer